

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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CAPITOL RECORDS INC.,  
a Delaware corporation, et al.,

Plaintiffs,

v.

**ORDER**

Civil File No. 06-1497 (MJD/RLE)

JAMMIE THOMAS,

Defendant.

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This matter is before the Court on five motions seeking permission to file amici briefs on the issue of whether the Court committed a manifest error of law in instructing the jury that “[t]he act of making copyrighted sound recordings available for electronic distribution on a peer-to-peer network, without license from the copyright owners, violates the copyright owners’ exclusive right of distribution, regardless of whether actual distribution has been shown.” Opposition to these motions was due on June 24, 2008. No opposition has been filed.

The Court has reviewed the five timely motions and the accompanying

proposed amici briefs. The Court concludes that the movants' expertise, special interest, and competent assistance could assist the Court and, therefore, will grant all five motions.

**IT IS HEREBY ORDERED** that:

1. Amended Motion for Permission to File a Brief Amici Curiae of Copyright Law Professors in Support of Defendant [Docket No. 155] is **GRANTED**.
2. Motion for Leave to File a Brief Amici Curiae of Electronic Frontier Foundation, Public Knowledge, United States Internet Industry Association, and Computer & Communications Industry Association in Support of Defendant Jammie Thomas [Docket No. 163] is **GRANTED**.
3. Amended Motion of Motion Picture Association of America, Inc. for Leave to File Amicus Curiae Brief [Docket No. 167] is **GRANTED**. The Motion Picture Association of America, Inc.'s request to participate in oral argument is **GRANTED**.
4. Motion for Leave to File Brief as Amicus Curiae [Docket No. 168] by the Intellectual Property Institute of William Mitchell College of Law is **GRANTED**.
5. Motion of Thomas D. Sydnor of the Progress & Freedom Foundation for Permission to File a Brief Amicus Curiae [Docket No. 177] is **GRANTED**.

Dated: July 2, 2008

s / Michael J. Davis  
Judge Michael J. Davis  
United States District Court